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CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOHN SNEED,

Plaintiff - Appellee,

v.

G. CHASE, Dr.; et al.,

Defendants - Appellants.

No. 06-15833

D.C. No. CV-04-01326-RLH

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Nevada
Roger L. Hunt, District Judge, Presiding

Argued and Submitted January 17, 2008
San Francisco, California

Before: WALLACE, SCHROEDER, and CLIFTON, Circuit Judges.

Defendants Dr. Georgene Chase, Dr. Ted D'Amico, and Sheryl Foster
appeal the district court's denial of their motion for summary judgment. We
dismiss for lack of jurisdiction.

^{*} This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

Defendants' appeal challenges the district court's determination that genuine issues of material fact remain for trial. Defendants argue that John Sneed failed to introduce sufficient admissible evidence to create any such triable issues and that the district court therefore erred in not holding that Defendants were entitled to qualified immunity. In an interlocutory appeal from a denial of qualified immunity, our jurisdiction extends only to questions of law. *Jeffers v. Gomez*, 267 F.3d 895, 903 (9th Cir. 2001). The Supreme Court has expressly established that "a defendant, entitled to invoke a qualified immunity defense, may not appeal a district court's summary judgment order insofar as that order determines whether or not the pretrial record sets forth a 'genuine' issue of fact for trial." *Johnson v. Jones*, 515 U.S. 304, 319-20 (1995); *see also Collins v. Jordan*, 110 F.3d 1363, 1370 (9th Cir. 1996) ("[I]f the appellant argues that, contrary to the district court's assertions, an examination of the record reveals that there is no dispute as to the facts, or that there is not sufficient evidence in the record to create such a dispute, we must dismiss for lack of jurisdiction."). As Defendants' appeal fails to raise a question of law, we dismiss for lack of jurisdiction.

DISMISSED.